

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

DANIEL S. SULLIVAN

PLAINTIFF

v.

NO. 1:17-CV-115-DMB-DAS

WARDEN BRAND HUFFMAN, et al.

DEFENDANTS

ORDER OF DISMISSAL

On February 22, 2018, this Court entered an order granting Daniel S. Sullivan's request to proceed in forma pauperis in this case, and an order setting a *Spears*¹ hearing. Doc. #7; Doc. #8. The order setting a *Spears* hearing warned Sullivan "that failure to keep the court informed of his current address may result in the dismissal of this lawsuit." Doc. #8 at 2. On March 13, 2018, the mail forwarding the orders to Sullivan was returned to the Court as undeliverable. Doc. #9. It appears that Sullivan is no longer in the custody of the Mississippi Department of Corrections, and Sullivan has failed to advise the Court of any new address.² Accordingly, this case is **DISMISSED** without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED, this 18th day of June, 2018.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985).

² See L.U. Civ. R. 11(a) ("Every attorney and every litigant proceeding without legal counsel has a continuing obligation to notify the clerk of the court of address changes.").